

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THE SECRETARY OF THE U.S. DEPARTMENT  
OF HOUSING AND URBAN DEVELOPMENT, an  
agency of the UNITED STATES OF AMERICA,

Plaintiff,

-against-

**ORDER ADOPTING R&R**  
**20-CV-5998 (DRH) (ARL)**

CHRISTINE TOSCANO Individually and as Voluntary  
Administratrix of the Estate of Frank Launi a/k/a  
Frank P. Launi, deceased; JOSEPH TOSCANO  
Individually and as Voluntary Administrator of the  
Estate of Frank Launi a/k/a Frank P. Launi, deceased;  
MARY MICHELS; NEW YORK STATE DEPARTMENT  
OF TAXATION AND FINANCE; CLERK OF THE  
SUFFOLK COUNTY TRAFFIC & PARKING  
VIOLATIONS AGENCY; PEOPLE OF THE STATE  
OF NEW YORK o/b/o Clerk of the Suffolk County  
District Court; ANNETTE KRAUSS; CAPITAL ONE  
BANK USA NA; "JOHN DOE #1-5" and "JANE DOE  
#1-5", said names being fictitious, it being the  
intention of plaintiff to designate any and all  
occupants, tenants, persons or corporations, if any,  
having or claiming an interest in or lien upon the  
premises being foreclosed herein,

Defendants.

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Presently before the Court is the Report and Recommendation of Magistrate  
Judge Arlene R. Lindsay, dated December 20, 2021, recommending that plaintiff's  
motion for default judgment be granted and plaintiff be awarded a judgment of  
foreclosure and sale against the defendants, under the supervision of a referee to be  
selected by Court, reflecting the following amounts to be awarded to HUD: the principal  
sum of \$252,999.22, interest in the amount of \$134,843.23, plus \$24.25 per day in  
interest from March 17, 2021 to the date of the entry of the order, service charges in the

amount of \$5,640, and a mortgage insurance premium in the amount of \$27,941.22, for a total award before the per diem interest of \$421,423.67. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the December 20, 2021 Report and Recommendation of Judge Lindsay as if set forth herein. The Court will this day enter a Judgment of Foreclosure and Sale consistent herewith.

Dated: Central Islip, New York  
January 11, 2022

s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge